

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOLORES ANNA LUTTERBACH,

Plaintiff,

v.

KILOLO KIJAKAZI,

Defendant.

Case No. [20-cv-06835-AGT](#)

**ORDER ON CROSS MOTIONS FOR
SUMMARY JUDGMENT**

Re: Dkt. No. 25, 28

Dolores Anna Lutterbach applied for and was denied disability-related benefits under the Social Security Act. Now, on judicial review of the decision denying benefits, Lutterbach argues that the decisionmaker, an ALJ, erred by assigning only limited weight to the opinions of two nurse practitioners, Talia Luc and Alicia Bulin, both of whom supported Lutterbach's claim of disability.

When Lutterbach applied for benefits, in January 2017, "a nurse practitioner [was] not an acceptable medical source," but was instead defined as an "other source[]" entitled to less deference. *Britton v. Colvin*, 787 F.3d 1011, 1013 (9th Cir. 2015) (simplified). The ALJ could discount testimony from these "other sources" by giving "germane reason[s]" for doing so. *Coleman v. Saul*, 979 F.3d 751, 757 (9th Cir. 2020) (simplified).

The ALJ satisfied this standard. He reasoned that NP Luc's and NP Bulin's opinions weren't well supported by the medical evidence in the record. *See* AR 31–32 (pointing to contrary medical opinions and contrary medical records). When a claimant's "full medical record casts doubt on the severity of the limitations assessed by" a nurse practitioner, this lack of support is a "germane reason" for discounting the NP's opinion. *Coleman*, 979 F.3d at 757.

The ALJ's conclusion was also supported by substantial evidence. Lutterbach argues for a different interpretation of the evidence, but the ALJ's findings were "supported by inferences reasonably drawn from the record," and will thus be deferred to. *Batson v. Comm'r of Soc. Sec. Admin.*,

359 F.3d 1190, 1193 (9th Cir. 2004).

Lutterbach's motion for summary judgment is denied, the Commissioner's motion for summary judgment is granted, and the ALJ's decision denying benefits is affirmed.

IT IS SO ORDERED.

Dated: March 14, 2022

A handwritten signature in black ink, appearing to read 'Alex G. Tse', is written over a horizontal line.

ALEX G. TSE
United States Magistrate Judge